

REMARKS

The Examiner has required an election in the present application between:

Species I: Image processing apparatus that uses a correlation decision to determine the pixel of interest when interpolating, illustrated in Figs. 12-19; and

Species II: Image processing apparatus that uses the feedback loop from the frame memory that uses the already-interpolated pixels to determine further interpolation, illustrated in Figs. 20-24.

**For the purpose of examination of the present application, Applicants elect Species I, illustrated in Figs. 12-19, without traverse.**

**Claims 21-34 and 36-39 are directed to the elected species. As acknowledged by the Examiner, at least claims 21-26, 33, and 36 are generic. Therefore, the remaining claims (35 and 40) are subject to rejoinder upon allowance of generic claims 21 and 24.**

Contrary to the Examiner's characterization of which claims correspond to Species I and II, respectively, Applicants respectfully submit that claims 32 and 37 are generic for reasons that follow.

When the Examiner characterizes Species I as "Image processing apparatus that uses a correlation decision to determine the pixel of interest when interpolating," it is assumed that the Examiner means an "Image processing apparatus that uses a correlation decision (with regard to the direction of strong similarity) to determine the pixels to be used for interpolating."

On the above assumption, Applicants agree that claims 27 and 29 read on Species I, since both claims require determining a direction of strong similarity and using pixel positions which are aligned in such direction for regression analysis. However, Applicants point out that claims 28, 29, 30, 31, 34, and 36 recite a manner of low-pass filtering which is without regard to the direction of strong similarity. Therefore, contrary to the Examiner's characterization of these

claims as corresponding to Species I, Applicants respectfully submit that claims 28, 29, 30, 31, 34, and 36 read on both Species I and II.

Further, the Examiner characterizes Species II as “Image processing apparatus that uses the feedback loop from the frame memory that uses the already-interpolated pixels to determine further interpolation.” Applicants agree that claims 35 and 40 are directed to Species II, since these claims require that the regression analysis uses pixels signals obtained by interpolation. However, claims 32 and 37 recite a manner of low pass filtering which is without regard to whether the data already obtained by interpolation is used or not. Therefore, Applicants submit that claims 32 and 37 read on both Species I and II.

In view of the foregoing, and due to Applicants’ election of Species I, Applicant respectfully submits that claims 21-34 and 36-39 read on the elected species and should be examined in the next Office Action.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Jason W. Rhodes, Registration No. 47,305 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Attached is a Petition for Extension of Time.

Attached hereto is the fee transmittal listing the required fees.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: June 25, 2009

Respectfully submitted,

By D. Richard Anderson #47,305  
*for*  
D. Richard Anderson  
Registration No.: 40,439  
BIRCH, STEWART, KOLASCH & BIRCH, LLP  
8110 Gatehouse Road  
Suite 100 East  
P.O. Box 747  
Falls Church, Virginia 22040-0747  
(703) 205-8000  
Attorney for Applicant